

MAGISTRATE'S CRIMINAL MINUTES

ARRAIGNMENT
PLEA AND
SENTENCETime in Court: _____ Hrs 41 MinFiled in Open Court: Date: 10/25/2022 Time: 3:25 pm Tape: FTRMagistrate (presiding): LINDA T. WALKERDeputy Clerk: Traci Clements CampbellCase Number: 1:21-CR-139Defendant's Name: Daniel KayeAUSA: Samir KaushalDefendant's Attorney: Rebecca ShepardUSPO/PTR: USPO K. White

Type Counsel: () Retained () CJA (X) FPD () Waived

ARREST DATE: _____

INTERPRETER: _____

☒ INITIAL APPEARANCE HEARING. (X) In THIS DISTRICT Dft in custody? (X) Yes () No☒ Defendant advised of right to counsel. () WAIVER OF COUNSEL filed.☒ ORDER appointing Federal Defender Program as counsel. () INITIAL APPEARANCE ONLY.

ORDER appointing _____ as counsel.

ORDER giving defendant _____ days to employ counsel (cc: served by Mag CRD)

Dft to pay attorney fees as follows: _____

INFORMATION/COMPLAINT filed. _____ WAIVER OF INDICTMENT filed.

☒ Copy indictment/information given to dft? (X) Yes () No Read to dft? () Yes () No (X) Prior to Hrg

CONSENT TO TRIAL BEFORE MAGISTRATE (Misd / Petty) offense filed.

☒ ARRAIGNMENT HELD. () Superseding indictment / information () Dft's WAIVER of appearance filed.

Arraignment continued to _____ at _____ Request of () Govt () Dft

Dft failed to appear for arraignment. Bench warrant issued _____

☒ Dft enters PLEA OF NOT GUILTY. () Dft stood mute; plea of NOT GUILTY entered. () Waiver of appearance.

MOTION TO CHANGE PLEA, and order allowing same.

☒ ASSIGNED TO JUDGE J.P. Boulee for (X) trial () arraignment/sentence. Dft intends to enter a guilty plea.

ASSIGNED TO MAGISTRATE _____ for pretrial proceedings.

☒ Estimated trial time: _____ days. (X) SHORT () MEDIUM () LONG

PRE-SENTENCE INVESTIGATION filed. Referred to USPO for PSI and continued

until _____ at _____ for sentencing.

ARRAIGNMENT - Pg. 2

Case No.: 1:21-cr-139
Defendant: Daniel Kaye

 X Government MOTION FOR DETENTION filed. Hearing set for 10/31/2022 at 10:00 AM
 X Temporary commitment issued.

BOND/PRETRIAL DETENTION HEARING

 BOND / PRETRIAL DETENTION hearing held.
 Government MOTION FOR DETENTION () GRANTED () DENIED () WITHDRAWN
 WRITTEN ORDER TO FOLLOW.
 HEARING HELD on motion for reduction / modification of bond.
 Motion for reduction / modification of Bond () GRANTED () DENIED.
 WRITTEN ORDER TO FOLLOW.
 BOND SET at _____
 Non-surety
 Surety () Cash () Property () Corporate surety ONLY
 SPECIAL CONDITIONS: _____

 Bond filed; defendant released.
 Bond NOT EXECUTED. Defendant to remain in Marshal's custody.

WITNESSES:

ARRAIGNMENT - Pg. 2

Case No.: 1:21-cr-139
Defendant: Daniel Kaye

MISC: MAGISTRATE JUDGE'S ORDER

- ☒ Pursuant to the Due Process Protections Act, the Court confirms the United States' obligation to disclose to the defendant all exculpatory evidence- that is, evidence that favors the defendant or casts doubt on the United States' case, as required by *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny, and ORDERS the United States to do so. The government has a duty to disclose any evidence that goes to negating the defendant's guilt, the credibility of a witness, or that would reduce a potential sentence. The defendant is entitled to this information without a request. Failure to disclose exculpatory evidence in a timely manner may result in consequences, including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, disciplinary action, or sanctions by the Court.
